

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

2018 MAR 12 PM 12:46

CLERK OF COURT  
AT BALTIMORE

BY \_\_\_\_\_

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

Vanessa Oliva Harrison

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

-against-

NMS Healthcare Hyattsville  
Rushern L. Baker, III  
Prince George's County

*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

Complaint for a Civil Case

Case No. **RDB 18 CV 0729**

*(to be filled in by the Clerk's Office)*

Jury Trial: ☐ Yes ☐ No  
*(check one)*

**I. The Parties to This Complaint**

**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Vanessa Harrison
Street Address	5307 Wyndholme Circle # 102
City and County	Baltimore City
State and Zip Code	MD 21229
Telephone Number	410-646-3731
E-mail Address	N/A

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	NMS Healthcare - Hyattsville
Job or Title (if known)	Craig Neiswagner - Administrator
Street Address	4922 LaSalle Rd
City and County	Hyattsville
State and Zip Code	MD 20782
Telephone Number	301-864-2333
E-mail Address (if known)	

Defendant No. 2

Name

Rushern L. Baker III

Job or Title

Prince George's County Executive

(if known)

Administration Building Room 5032

Street Address

14741 Governor Oden Bowie Dr

City and County

Upper Marlboro

State and Zip Code

MD 20772-3050

Telephone Number

301-952-4131

E-mail Address

(if known)

Defendant No. 3

Name

Prince George's County

Job or Title

(if known)

Street Address

14741 Governor Oden Bowie Dr

City and County

Upper Marlboro

State and Zip Code

MD 20772-3050

Telephone Number

301-952-4131

E-mail Address

(if known)

Defendant No. 4

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

(If there are more than four defendants, attach an additional page providing the same information for each additional defendant.)

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

### A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Federal Nursing Reform Act OBRA'87  
Olmstead v LC. 527 U.S. 581

### B. If the Basis for Jurisdiction Is Diversity of Citizenship

#### 1. The Plaintiff(s)

##### a. If the plaintiff is an individual

The plaintiff, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_.

##### b. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)



2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of the State of (name) \_\_\_\_\_. Or is a citizen of (foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) NMS Healthcare, is incorporated under the laws of the State of (name) MD, and has its principal place of business in the State of (name) MD. Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

50 million dollars for medical bills, equipment, transportation, failure to fill out the FMLA paperwork for family - daughter - Vanessa Harrison and housing costs.

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

NMS Healthcare Hyattsville under the direction of Craig Nerswagner denied admission to MS Ernestine M. Harrison under the ADA guidelines. The violations to MS Ernestine M. Harrison's civil rights are under the Federal Nursing Home Reform Act. The date for the violation is January 2017. NMS Healthcare refused to admit MS Ernestine M. Harrison because she had not been accepted into the MD Medicaid. MS Ernestine M. Harrison is disabled.

NMS Healthcare Hyattsville violated MS Ernestine M. Harrison's civil rights under the ADA in regards of the Olmstead Act. Olmstead v LC 527 U.S. 581, NMS Healthcare Hyattsville refuse to help MS Ernestine M. Harrison transfer out of the home there by holding MS Ernestine M. Harrison at the NMS Healthcare Hyattsville against her will, violating her civil rights. This happened from September 2017 to November 2017.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages. For any request for injunctive relief, explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

The plaintiff is asking the defendant for 50 million dollars for violating MS Ernestine Harrison's civil right.

The plaintiff is asking the court to deny any and all Federal funding from the Federal medicare program.

The plaintiff is asking the court to deny NMS Healthcare Hyattsville any federal contracts due to civil rights violations of disabled people and/or person MS Ernestine M. Harrison.



**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 3-12, 2018

Signature of Plaintiff

Printed Name of Plaintiff

Vanessa Harrison  
Vanessa Harrison

*(If more than one plaintiff is named in the complaint, attach an additional certification and signature page for each additional plaintiff.)*

**B. For Attorneys**

Date of signing: \_\_\_\_\_, 20\_\_.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

Email Address

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